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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	Andrew Marks, *et al.* 10763498
Filing Date	January 21, 2004
First Named Inventor	Andrew Marks
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	5199-139

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Petitions to the Commissioner
- ☐ Request For Corrected Filing Receipt With A Copy Of the Official Receipt
- ☒ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Information Disclosure Statement
  - ☐ Form PTO/SB/08A ____ References
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Petition to Make Special
  - ☐ Statement pertaining to pre-examination search; and
  - ☐ Detailed discussion of the references submitted with the Information Disclosure Statement
- ☐ Assignment Papers *(for an Application)*
- ☐ Drawing(s) - __ Sheets
- ☐ Licensing-related Papers
- ☐ Petition to Revive Unintentionally Abandoned Application
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Express Abandonment Request
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication Group *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Withdrawal of attorney as Attorney or Agent
- ☒ Other Enclosure(s) *(please identify below):*
  - *1) Return Receipt Postcard*

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm *or* Individual name	Leslie Gladstone Restaino, Registration No. 38,893
Signature	Leslie G Restaino
Date	February 23, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450, on this date 2/23/2004

Type or printed name	Maureen Elise Kelly		
Signature	Maureen Elise Kelly	Date	February 23, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Andrew Marks, *et al.*	Group Art Unit:	Not yet assigned
Serial No.:	Not yet assigned	Examiner:	Not yet assigned
Filed:	January 21, 2004	Docket No.	5199-139
For:	**NOVEL ANTI-ARRYTHMIC AND HEART FAILURE DRUGS THAT TARGET THE LEAK IN THE RYANODINE RECEPTOR (RYR2)**		

February 23, 2004

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

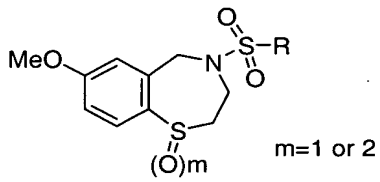
Sir/Madam:

PRELIMINARY AMENDMENT

Please add the following new claims:

51. A method for synthesizing the compound of claim 1.

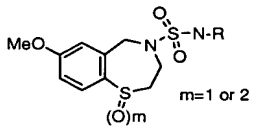
52. The method of claim 51, further comprising the step of oxidizing the compound of claim 1 with an oxidizing agent, to form a compound having formula:



wherein R = aryl, alkenyl, alkyl, $-(CH_2)_nNR'_2$, or $-(CH_2)_nSR'$, and n = 0, 1, 2, or 3, and R' = alkyl or cycloalkyl, and wherein m = 1 or 2.

53. A method for synthesizing the compound of claim 2.

54. The method of claim 53, further comprising the step of oxidizing the compound of claim 2 with an oxidizing agent, to form a compound having formula:



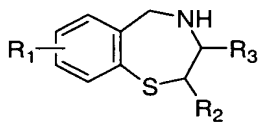
wherein R = aryl, alkyl, $-(CH_2)_nNR'_2$, or $-(CH_2)_nSR'$, and n = 0, 1, 2, or 3, and R' = alkyl or cycloalkyl, and wherein m = 1 or 2.

55. A method for synthesizing the compound of claim 3.

56. A method for synthesizing the compound of claim 4.

57. A method for synthesizing the compound of claim 5.

58. A method for synthesizing a 2, 3, 4, 5-tetrahydro-1,4-benzothiazepine compound having formula:



wherein R_1 = OR', SR', NR', alkyl, or halide, at position 2, 3, 4, or 5 on the phenyl ring, and R' = alkyl, aryl, or H; wherein R_2 = H, alkyl, or aryl; and wherein R_3 = H, alkyl, or aryl.

59. A method for synthesizing an agent that enhances binding of RyR2 and FKBP12.6.

Respectfully submitted,

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP

By: Leslie G. Restaino

Leslie Gladstone Restaino
Reg. No. 38,893
Attorneys for Applicant
163 Madison Avenue
P.O. Box 1989
Morristown, New Jersey 07962-1989
973.775.8930/Direct Dial
973.775.8901/Telecopier No.